

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

S. DONALD FRIEDMAN, individually and in his
capacity as a beneficiary of an Individual Retirement
Account, SAUNDRA FRIEDMAN, BROADWAY-
ELMHURST CO. LLC, and ARI FRIEDMAN,

Defendants.

Adv. Pro. No. 10-05395 (SMB)

FIFTH STIPULATION EXTENDING DEADLINE IN CASE MANAGEMENT ORDER

This Stipulation Extending Deadline in Case Management Order (“Stipulation”) is submitted pursuant to the so-ordered Eighth Amended Case Management Plan (“Case Management Order”) entered in the above-captioned case on November 5, 2015 (ECF No. 133). The Case Management Order provides that the deadline for Parties contemplating to file a motion for summary judgment to notify the Court is August 25, 2016 (“Summary Judgment

Notification Deadline”). On August 24, 2016, the Parties entered into a stipulation extending the Summary Judgment Notification Deadline to September 26, 2016 (ECF No. 146). On September 22, 2016, the Parties entered into a second stipulation extending the Summary Judgment Notification Deadline to October 26, 2016 (ECF No. 149). On October 18, 2016, the Parties entered into a third stipulation extending the Summary Judgment Notification Deadline to November 30, 2016 (ECF No. 151). On November 22, 2016, the Parties entered into a fourth stipulation extending the Summary Judgment Notification Deadline to December 21, 2016.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, that the Summary Judgment Notification Deadline is extended up to and including **January 25, 2017**.

The purpose of this Stipulation is to provide additional time for the Parties to resolve this matter consensually.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

[THIS PORTION IS INTENTIONALLY LEFT BLANK]

Dated: New York, New York
December 14, 2016

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